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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/784,023	02/20/2004	Terrence J. Campbell	230P183(b)	1676
28264 7590 11/12/2009 BOND, SCHOENECK & KING, PLLC ONE LINCOLN CENTER SYRACUSE, NY 13202-1355				
EXAMINER				
FACTOL, NICHOLAS C				
ART UNIT		PAPER NUMBER		
2625				
NOTIFICATION DATE		DELIVERY MODE		
11/12/2009		ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/784,023

Applicant(s)

CAMPBELL ET AL.

Examiner

Nicholas C. Pachol

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 August 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-12 have been considered but are moot in view of the new ground(s) of rejection.

Claim Objections

2. Claim 6 is objected to because of the following informalities: Claim 6 has a bullet labeled as (d). However, (d) already appears in claim 1, which claim 6 depends upon. Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-7 and 9-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Campbell (US 2004/0085579).

Regarding Claim 1, Campbell teaches a method of suspending the printing of a special effect on the output media of a computer output device adapted to receive an input byte stream including print data (Page 1, paragraph 13), said method comprising the steps of:

(a) identifying a triggering byte string to act as a trigger for indicating the suspension of printing of said special effect on said output media (Page 3, paragraph 42, wherein the legacy graphic commands are comprised of bytes);

(b) determining whether said input byte stream includes said triggering byte string (Page 3, paragraph 42, wherein the legacy graphic commands are comprised of bytes); and

(c) suspending the printing of said special effect in response to determining said triggering byte string is in said input byte stream (Page 4, paragraph 55 and Page 5, paragraphs 66-68, 79, 85, and 92 and Page 6, paragraph 97); and

(d) printing said print data on the output media (Page 3, paragraphs 35 and 39).

Regarding Claim 2, Campbell further teaches wherein said computer output device comprises a point-of-sale printer (Page 1, paragraph 2).

Regarding Claim 3, Campbell further teaches wherein said output media comprises a receipt (Page 1, paragraph 2).

Regarding Claim 4, Campbell further teaches wherein said triggering byte string is a legacy text string (Page 2, paragraph 30).

Regarding Claim 5, Campbell further teaches wherein said special effect is a top logo, a watermark, a ribbon logo, or a bottom logo (Page 2, paragraph 28).

Regarding Claim 6, Campbell further teaches (d) saving said triggering byte string in memory (Page 3, paragraph 42);

(e) associating said triggering byte string with a printing function (Page 4, paragraph 44);

(f) delaying for a fixed number of bytes the normal processing of said input byte stream (Page 4, paragraph 45);

(g) executing said printing function associated with said triggering byte string after determining said triggering byte string is in said input byte stream (Page 4, paragraph 45); and

(h) optionally removing said triggering byte string from said input byte stream (Page 5, paragraph 92); and

(i) restoring normal processing of said input byte stream (Page 5, paragraphs 91 and 92).

Regarding Claim 7, Campbell teaches a method of suspending the printing of a special effect on the output media of a computer output device adapted to receive an

input byte stream including print data (Page 1, paragraph 13), said method comprising the steps of:

(a) identifying a triggering byte string to act as a trigger for indicating the suspension of printing of said special effect on said output media (Page 3, paragraph 42, wherein the legacy graphic commands are comprised of bytes);

(b) determining whether said input byte stream includes said triggering byte string (Page 3, paragraph 42, wherein the legacy graphic commands are comprised of bytes); and

(c) suspending the printing of said special effect for a predetermined number of printer operations in response to determining said triggering byte string is in said input byte stream (Page 4, paragraph 55 and Page 5, paragraphs 66-68, 79, 85, and 92 and Page 6, paragraph 97); and

printing said print data on the output media (Page 3, paragraphs 35 and 39).

Regarding Claim 9, Campbell further teaches wherein said computer output device comprises a point-of-sale printer (Page 1, paragraph 2).

Regarding Claim 10, Campbell further teaches wherein said output media comprises a receipt (Page 1, paragraph 2).

Regarding Claim 11, Campbell further teaches does not teach wherein said triggering byte string is a legacy text string (Page 2, paragraph 30).

Regarding Claim 12, Campbell further teaches wherein said special effect is a top logo, a watermark, a ribbon logo, or a bottom logo (Page 2, paragraph 28).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Campbell (US 2004/0085579) in view of Fry (US 6,415,341).

Regarding Claim 8, Campbell further teaches the step of identifying a triggering byte string to act as a trigger comprises the steps of: (ii) storing said triggering byte string in non-volatile storage (Page 3, paragraph 42);

(iv) ordering said fixed number of byte strings into fast response memory for execution of a match/does not match comparison to said input byte stream (Page 2, paragraph 30 and Page 3, paragraph 42, wherein since the recognition process needs to be preformed quickly, it is understood that the flags are stored in a fast response memory in order to perform the compression quickly without slowing down the processing of the printer).

Campbell does not teach (i) defining a triggering byte string of less than or equal to maximum allowable length;

(iii) managing said non-volatile storage to hold a fixed number of byte strings.

Fry teaches (i) defining a triggering byte string of less than or equal to maximum allowable length (Column 19, lines 60-64);

(iii) managing said non-volatile storage to hold a fixed number of byte strings (Column 19, lines 60-64).

Campbell and Fry are combinable because they both deal with communicating with a POS printer.

Therefore it would be obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Campbell with the teachings of Fry to provide a versatile and robust interface device operable to provide seamless compatibility between a POS component and other devices (Fry: Column 2, lines 21-25).

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nicholas C. Pachol whose telephone number is 571-270-3433. The examiner can normally be reached on M-Thr, 8:00 a.m.- 4:00 p.m. (EST), Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Twyler L. Haskins can be reached on 571-272-7406. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/N. C. P./
Examiner, Art Unit 2625

11/05/09

/Twyler L. Haskins/
Supervisory Patent Examiner, Art Unit 2625